



State of Utah

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Department of
Environmental Quality

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Executive Director

DIVISION OF SOLID AND
HAZARDOUS WASTE
Scott T. Anderson
Director

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December 9, 2010

Joe Escudero, Site Manager
Environment, Health and Safety
Maly's West
1475 South 5070 West
Salt Lake City, Utah 84104

RE: Compliance Evaluation Inspection
Warning Letter
UTR000011197

Dear Mr. Escudero:

Representatives of the Division of Solid and Hazardous Waste conducted a hazardous waste compliance evaluation inspection at your facility on October 13, 2010. Evaluation of records during the inspection documented the following deficiencies:

1. Manifest #003487997 was found to be missing the generator copy from the designated Treatment, Storage and Disposal Facility (TSD). At the time of the inspection, Maly's West had not filed an exception report in accordance with R315-5-4.42(b) of the Utah Administrative Code.
2. There was no copy of a Land Disposal Restrictions (LDR) certificate for the above referenced manifest in question as required by R315-13-1 of the Code.
3. Maly's West had not posted the name and telephone numbers of the emergency coordinator, the telephone number of the fire department and the locations of fire extinguishers next to telephones as required by R315-5-3.34 of the Code [as incorporated by reference in 262.34(d)(5)].
4. At the time of inspection, there was no documentation to ensure that employees had been trained in hazardous waste handling and emergency procedures relevant to their positions even though Maly's had indicated that training had been conducted as required by R315-5-3.34 of the Code [as incorporated by reference in 262.34(d)(5)(iii)].

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5. At the time of inspection, there was no documentation that Maly's West had attempted to make arrangements with the local fire, police, emergency response teams, and hospitals to respond to emergency situations as required by R315-5-3.34 of the Code [as incorporated by reference in 262.34(d)(4)].

You are hereby requested to submit to this office on or before January 6, 2011 a written description of the procedures that have been implemented to correct these deficiencies and ensure they do not recur.

If you have any questions, please contact Eric Baiden or Ed Deputy at (801) 536-0200.

Sincerely,



Scott T. Anderson, Executive Secretary
Utah Solid and Hazardous Waste Control Board

STA/EB/kl

c: Gary Edwards, Executive Director, Salt Lake Valley Health Department
David Duster, EPA Region 8